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RESPONSE TO NON-FINAL OFFICE ACTION
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II. AMENDMENT OF THE CLAIMS

Format of this Response

This response is submitted in compliance with the revised format for making amendments to the specification, claims and drawings officially adopted by the USPTO on July 30, 2003, and which is now reflected in 37 C.F.R. §1.121. Only one version of the claims with markings to show changes are provided in accordance with such regulation (underlining to show additions and strike-through marks or [] (for deletion of five or less characters) to indicate deleted material). A detailed listing of all claims that are, or were in the application, delineated as either (Original), (Currently Amended), (Canceled), (Withdrawn), (Previously presented), (New), or (Not entered), are presented. A complete listing of the claims commence on a separate sheet of this document with the text of "canceled" or "not entered" claims not being presented as set forth in the revised rules. Withdrawn claims and claims unamended are shown without mark-up. Concurrent "canceled" or "not entered" claims may be aggregated.

If a substitute specification is submitted herein, a clean form and marked-up version are included. Amendments to drawings, if any, are submitted in compliance with 37 C.F.R. §1.84 on replacement sheets as an attachment to this document (with an accompanying detailed explanation of all of the changes with respect to the drawings made in the remarks section of this amendment.

Status of Claims and Terminal Disclaimer:

Amendments of the claims 1 and 3 is made herein. Claims 1-3 are submitted for reexamination and reconsideration, in view of the present Terminal Disclaimer executed by Agent for Applicant, submitted pursuant to the Examiner's request.

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Statement with Respect to Scope of Amended and Non-Amended Claims

Revisions to the claim set is made in order to streamline prosecution of this case in order to obtain early allowance of embodiments that are presently anticipated to be of commercial significance and in response to the Examiner's restriction requirement which has been made final in the Office Action, and are not made for a purpose of patentability. Any amendment, cancellation, withdrawal or addition made herein with respect to the claims should not be construed in any manner as indicating Applicant's surrender of any subject matter of the application, or surrender of any equivalent to any element asserted in one or more claims. Any narrowing which may be evinced with respect to subject matter covered by the claims as a whole, or by one or more claims of the appended claims whether amended, re-represented, or new, when compared to claims previously in the application, should not be interpreted as indicating that the Applicant has generally disclaimed the territory between the original claimed subject matter and the amended claimed subject matter. Amended claims elements are to be construed to include substantial equivalents known to those of ordinary skill in the art. Applicant asserts that any amendments transacted herein are made without prejudice and reserve all rights to prosecute any canceled claims, and claim structures preceding any amendment to a particular claim, and other disclosed (but not presently claimed) embodiments in the application, in future continuation applications, divisional applications, continuation-in-part applications, continuing prosecution applications, requests for continuing examination, re-examination applications and any other application claiming priority to the present application.

**COMPLETE LIST OF CLAIMS THAT ARE OR HAVE BEEN BEFORE THE OFFICE
AFTER ENTRANCE OF THE AMENDMENTS MADE HEREIN**

In accord with such regulation, the listing of claims set forth below replaces all prior versions, and listings, of claims in the application:

**--CLAIMS AS PENDING IN THE APPLICATION WITH AMENDMENTS MADE HEREIN
START ON NEXT PAGE--**

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1. (CURRENTLY AMENDED) A computer-readable medium having material at a select position therein/thereon and containing instructions for controlling an optical reader to cause the optical reader to re-read the position having the material one or more times to elicit a measurable parameter at such a position.

2. (ORIGINAL)The computer-readable medium of claim 1 wherein the material is a light-changeable material.

3. (CURRENTLY AMENDED)The computer-readable medium of claim 2 wherein the measurable parameter is a light change.

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